

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

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5 In re MGM MIRAGE SECURITIES

6 LITIGATION

2:09-cv-01558-GMN-VCF

7 **ORDER**

8 Before the court is Defendants' Application to File Under Seal Exhibit 12 to the Declaration of  
9 George M. Garvey in Support of Defendants' Joint Opposition to Plaintiffs' Motion for Class Certification  
10 (#305). The exhibit at issue contains a six-page excerpt from the deposition of Laura Gilson. Counsel for  
11 the Arkansas Teachers' Retirement System ("ATRS") has designated Ms. Gilson's entire deposition  
12 transcript as Protected Material pursuant to Paragraph 5.3(c) of the Stipulated Protective Order entered by  
13 the court on April 15, 2014. (#251).

14 Defendant has filed Exhibit 12 under seal and filed this Application for sealing the exhibit based  
15 on ATRS's designation. Defense counsel has asked ATRS's counsel to withdraw the designation and  
16 ATRS's counsel has refused. ATRS bears the burden of establishing that compelling reasons exist for  
17 this court to permit Exhibit 12 to remain sealed. *Kamakana v. City & Cnty. Of Honolulu*, 47 F.3d 1172,  
18 1178-81 (9th Cir. 2006).

19 Accordingly, and Good Cause Appearing,

20 IT IS HEREBY ORDERED that on or before 4:00 PM on March 27, 2015, any party who believes  
21 that compelling reasons exist to keep Exhibit 12 sealed, must file points and authorities supporting such  
22 sealing. Briefing thereafter will be in the ordinary course pursuant to this court's local rules. If no such

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1 filing is received on or before this deadline, the court will enter a minute order unsealing Exhibit 12 (#306).

2 DATED this 12th day of March, 2015.

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5 CAM FERENBACH  
6 UNITED STATES MAGISTRATE JUDGE  
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